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EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,033

Applicant(s)

PETROVYKH, YEVGENIY

Examiner

Ashok B. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-42 are subject to examination.

Response to Arguments

2. Applicant's arguments filed 05/05/2005 have been fully considered but they are not persuasive for the following reasons:

Applicant's argument:

"In response to the Examiner's rejection and comments, applicant herein amends claim 18 to include a remote routing server providing instant message routing intelligence to the proxy server. Applicant provides valid arguments which clearly show that the art provided by the Examiner in supporting the rejections is inadequate to prove a proper prima facie rejection for the independent claims left original and claim 18, as amended."

Examiner's response:

Examiner was unable to locate "a remote routing server" in amended claim 18.

Applicant's argument:

"Applicant respectfully disagrees with the Examiner's above interpretation of Ben-Chanoch. Applicant's independent claims clearly recite that the customer initiates the instant messaging communication and is routed to a customer service representative as a result of initiating a connection link advertised by the instant message server. Applicant argues that the art of Ben-chanoch teaches an out-calling service only."

"Clearly, the system taught in Ben-chanoch does not receive an instant message request from a customer and connect the call during the same event. Ben-chanoch must initiate the communication with the customer."

Examiner's response:

Ben-chanoch teaches in col. 2, line 22-30, "Equipped with proper hardware and software, an agent in the contact center shown in FIG. 1 can answer an inbound call from a customer in different forms, either traditional one such as telephone and facsimile, or a newly developed telecommunications techniques on packet switched data network such as email, web chat and internet telephony. The conversation between the agent and the customer may be accomplished synchronously such as by telephone or Internet telephony, or asynchronously such as by email or fax."

Ben-chanoch also teaches further in col. 2, line 31-32, "In the present invention, the contact center can also initiate an outbound contact to a customer who is online."

Applicant is reminded that claim 1 also recites "wherein assertion of a connection link advertised by the instant message server establishes bi-directional communication between the client machine and the intermediate server,".

Thus, Ben-chanoch is equipped for bi-directional communication regardless of its origin, in-calling or out-calling.

Applicant's argument:

"Applicant argues that Price fails to teach the capability of routing received instant messages from customers based on routing rules and capability. Price teaches an ability o route phone calls, voice calls on the Web or e-mails. There is absolutely no

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capability in the art of Price to route instant messages, utilizing an intermediate server, based on enterprise rules stored in the intermediate server. The Examiner has failed to provide a valid reference that is capable of routing instant message protocol requests for communication from a client to a customer service representatives using an intermediate server based on enterprise rules."

Examiner's response:

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

As stated in the previous office action page 3, "The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, col. 4, line 7-10." Thus Contact server is intermediate server which is routing message requests for communication from a client to a customer service representatives based on enterprise rules.

Priority

3. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional application); the disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

Referring to claims 18-42,

The instant application's incorporation of "proxy server" which Examiner was unable to locate in the application 09/710042. And as such, the priority date for claims 18-42 was considered as being 01/18/2001.

Specification

4. The amendment filed 05/05/2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: In claim 18, wherein it recites "a remote enterprise server". Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites the limitation "the server" in line 13 and "the separate server" in line 16. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are:

- 1) How "a remote enterprise server" is cooperating with other elements in the claim?
- 2) What "a remote enterprise server" represent that is associated with other elements in the claim?
- 3) What is "a remote enterprise server"'s "relationship" pertaining to the relevant technology?

For the purpose of this office action, because of the above given reasons, Examiner is left with no choice but to consider "the server" as being "A proxy server" and a " the separate server" that exists "somewhere." Amended claim 18's inclusion of new matter " a remote enterprise server", as stated above, is not considered.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ben-Chanoch (US 6, 707, 906 A1) in view of Price (US 6, 389, 132)

Referring to claim 1,

The reference Ben-Chanoch teaches routing system operable on a data-packet-network for intelligent routing of instant messages between clients connected to the network and customer service representatives (CSRs) connected to the network (Fig.1, col. 2, lines 22-38) comprising:

at least one instant message server connected to and addressable on the network (Fig. 1, element 1, col. 1, line 60-64);

characterized in that clients connected to the network and operating instant message software connect to the instant message server for the purpose of establishing communication with available customer service representatives (col.2, lines 22-38) , and wherein assertion of a connection link advertised by the instant message server establishes bi-directional communication between the client machine (col.3, line11-18) identifying the client and version of instant message software used by the client for the purpose of routing the client request to an appropriate customer service representative thereby establishing an active instant message connection between the client and the selected customer service representative.(col.3, line 1-24).

Although the reference teaches these elements as part of the contact center, the reference explicitly fails to teach at least one intermediate server connected to and

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addressable on the network and accessible to the instant message server the intermediate server having access to routing rules and capability. The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line 27-34, col. 4, line 7-10. (at least one intermediate server connected to and addressable on the network and accessible to the instant message server the intermediate server having access to routing rules and capability.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (intermediate server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claim 2,

The reference Ben-Chanoch teaches wherein the data-packet-network is the Internet network. (Fig.1, element "INTERNET").

Referring to claims 3 and 5,

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The reference Ben-Chanoch teaches the routing system of claim 1 wherein the client connection comprises a network appliance capable of instant messaging operationally coupled to the network, and wherein the network appliance is a computer. (col.3, line 1-25)

Referring to claims 4 and 6,

The reference Ben-Chanoch teaches the routing system of claim 1 wherein customer service representative connection comprises a network appliance capable of instant messaging operationally coupled to the network, and wherein the network appliance is a computer. (col.3, line 1-25, Fig.1, element 5)

Referring to claims 7 and 8,

The reference Ben-Chanoch teaches the routing system of claim 1 wherein the customer service representatives are human resources, and wherein the customer service representatives include automated systems. (col.3, line 11-24 and line 41-55)

Referring to claim 9,

The reference Ben-Chanoch teaches the routing system of claim 1 wherein the addressing system of the network is Internet protocol addressing. (col.1, line 60-64)

Referring to claim 10,

The reference Ben-Chanoch teaches the routing system of claim 1 wherein the at least one instant message server retains responsibility of hosting ongoing communication between clients and customer service representatives. (Fig. 1, element 1, col. 1, line 60-64)

Referring to claim 11,

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Keeping in mind the teaching of the reference Ben-Chanoch as stated above, the reference fails to teach intermediate server and wherein the at least one intermediate server is granted the responsibility of hosting ongoing communication between clients and customer service representatives. . The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, and "Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10)(wherein the at least one intermediate server is granted the responsibility of hosting ongoing communication between clients and customer service representatives.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (intermediate server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claim 12,

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Keeping in mind the teachings of the reference Ben-Chanoch as stated above wherein the wherein the client, customer service representative, involved in a single routed and established communication channel run instant messaging software compatible to that hosted by the instant message server used to initiate the connection. (col.3, line 1-24).

The reference explicitly fails to teach at least one intermediate server . The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, col. 4, line 7-10. (wherein the client, customer service representative, and intermediate server involved in a single routed and established communication channel run instant messaging software compatible to that hosted by the instant message server used to initiate the connection) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (intermediate server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claims 13 and 14,

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The reference Ben-Chanoch teaches the routing system of claim 1 wherein the customer service representatives are agents operating within a communication center and connected to a local area network, and wherein the customer service representatives are remote agents operating from addressable locations on the network not confined to one location. (The reference teaches the element 2 of Fig.2 being an ATM or Ethernet Switch in col.2, line 11. It is well known that ATM switches are designed for LAN and WAN.)

Referring to claim 15,

Keeping in mind the teachings of the reference Ben-Chanoch as stated above, although the reference teaches wherein the at least one intermediate server requests and receives routing instructions for disposing all communication events occurring within the center (col.3, line 11-25), the reference fails to teach receiving routing instructions from a separate server containing an intelligent routing software suite. The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, "Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10), col. 4, line 7-10.(receiving routing instructions from a separate server containing an intelligent routing

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software suite.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (intermediate server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claims 16 and 17,

The reference Ben-Chanoch teaches routing system of claim 1 wherein the routing capability includes routing based on customer service representative availability, and routing system of claim 1 wherein the routing capability includes routing based on skill level of a customer service representative. (col. 3, lines 11-24)

Referring to claim 18,

The reference teaches Ben-Chanoch teaches a proxy server for routing instant messages sourced from clients connected to a data-packet-network to selected ones of a plurality of customer service representatives connected to the network and representing an enterprise (Fig.1, element 1, col. 2, lines 22-38):

at least one bi-directional data port for receiving data thereto and sending data there from (Fig.1, element 1, col.1, line 60-64);

at least one version of instant messaging software executable therein for generating, sending, and receiving instant messages (col.3, lines1-10);

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a software routing component executable therein for routing client instant message requests to selected IP addresses on the network (col.3, line11-25); and

a software firewall component operable therein and capable of IP address translation (col. 2, lines 50-53, col. 1, line 60-64);

characterized in that the server receives incoming instant message events for routing, identifies and interacts with individual clients using instant message protocol and routes qualified requests to available customer service representatives based on enterprise routing rules for instant messaging (col.3, line 11-25)

The reference Ben-Chanoch as stated above, although the reference teaches wherein the at least one intermediate server requests and receives routing instructions for disposing all communication events occurring within the center (col.3, line 11-25), the reference fails to teach retrieved from the separate server containing an intelligent routing software suite used for disposing all communication events occurring within the enterprise. The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, "Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10), col. 4, line 7-10.(retrieved from the separate server

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containing an intelligent routing software suite used for disposing all communication events occurring within the enterprise.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (intermediate server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claim 19,

The reference teaches Ben-Chanoch teaches proxy server of claim 18 wherein the data-packet-network is the Internet network. (Fig.1, element "INTERNET").

Referring to claims 20 and 22,

The reference teaches Ben-Chanoch teaches the proxy server of claim 18 wherein the client connection comprises a network appliance capable of instant messaging operationally coupled to the network, and wherein the network appliance is a computer.(col.3, line 1-25)

Referring to claims 21 and 23,

The reference teaches Ben-Chanoch teaches the proxy server of claim 18 wherein the customer service representative connection comprises a network appliance capable of instant messaging operationally coupled to the network, and wherein the network appliance is a computer. (col. 3, line 1-25, Fig.1, element 5)

Referring to claims 24 and 25,

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The reference teaches Ben-Chanoch teaches the proxy server of claim 18 wherein the customer service representatives are human resources, and wherein the customer service representatives include automated systems. (col.3, line 11-24 and line 41-55)

Referring to claims 26 and 27,

The reference teaches Ben-Chanoch teaches the proxy server of claim 18 wherein after establishing a routed connection, the same server continues to host the communication transaction, and wherein routing destination is determined as a result of executed routing routines according to routing rules (Fig. 1, element 1, col.3, lines 10-24).

Referring to claim 28,

The reference Ben-Chanoch teaches wherein the routing rules and executed routing routines are a software suite for determination of internal routing (col. 3, lines 10-24) for all multimedia (col. 1, lines 49-50) and COST events (Fig.1, element "PSTN") occurring within the center. However the reference fails to explicitly teach a transaction server.

The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (transaction server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28; Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, and "Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10)(the transaction server being used running a software suite for determination

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of internal routing) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (intermediate server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claims 29 and 30,

The reference Ben-Chanoch teaches the proxy server of claim 18 wherein the routing capability includes routing based on customer service representative availability, and wherein the routing capability includes routing based on skill level of a customer service representative. (col. 3, lines 11-24)

Referring to claims 31 and 39,

The reference Ben-Chanoch teaches a method for establishing an instant message communication channel over a data-packet-network between a client and a customer service representative representing an enterprise based on returned results of at least one executed routing routine (Fig. 1, col. 2, lines 22-38) comprising steps of:

(a) client establishment of a network connection; (b) establishing a client-to-server connection with an instant message server using an instant messaging software application; (Fig. 1, element 1, col. 60-64, col. 3, line1-24)

Although the reference Ben-Chanoch teaches intelligent routing of the client request and information obtained through client interaction; and (f) routing the client

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request from server to an appropriate customer service representative (col. 3, lines 1-24), the reference fails to explicitly teach the proxy server as claimed.

The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (proxy server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, "Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10, and col. 1, lines 53-56, "The system also includes a software engine that routes and schedules customer request to available agents via internal communication pathways." (c) establishing a connection from the instant message server (Web server of Fig. 1 of Price or Fig. 1, element 1 of Ben-Chanoch) to an intermediary proxy server through client link assertion; (d) the proxy server interacting with the client using instant messaging software to obtain information for routing; (e) the proxy server requesting execution of at least one intelligent routing routine on behalf of the client request and information obtained through client interaction; and (f) routing the client request from the proxy server to an appropriate customer service representative based on results of routine execution.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (proxy server) of Price such that contact server can manage the sequencing of

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multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claim 32,

The reference Ben-Chanoch teaches the method of claim 31 wherein the data-packet-network is the Internet network. (Fig. 1, element "internet")

Referring to claims 33 and 34,

The reference Ben-Chanoch teaches the method of claim 31 wherein in step (a) client connection comprises a network appliance having instant messaging capability operationally coupled to the network, and wherein in step (a) the network appliance is a computer. (col. 3, line 1-25)

Referring to claim 35,

Keeping in mind the teaching of the reference Ben-Chanoch as stated above, although the reference teaches "The customer may determine at what times or days he wishes to be contacted in what orders, and may specify same via a password.", col. 2, lines 50-53, (the instant message server optionally re-directs the client and relinquishes communication hosting.), the reference fails to teach to optionally re-directing the client to the proxy server. The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (proxy server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact

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Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.”, col.3, line27-34, “Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10, and col. 1, lines 53-56, “The system also includes a software engine that routes and schedules customer request to available agents via internal communication pathways.” (to optionally re-directing the client to the proxy server and wherein in step (e) the execution request is handled by a separate server running a routing software suite for routing communication events within the enterprise.). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact server (proxy server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claim 36,

The reference Ben-Chanoch teaches the method of claim 31 wherein in step (d) the interaction results in at least client identification, version identification of instant message software used by the client, and a reason for requesting communication with a customer service representative. (col. 3, lines 1-24, col. 2, lines 22-38)

Referring to claim 37,

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The reference Ben-Chanoch teaches the method of claim 31 wherein in step (e) the at least one routing routine comprises an availability determination of existence of a network-connected customer service representative having a compatible instant messaging software to that used by the client. (col. 3, lines 1-24, col. 2, lines 22-38)

Referring to claim 38,

The reference Ben-Chanoch teaches the method of claim 37 wherein in step (e) the at least one routing routine further comprises a skill level determination. (col.3, lines 21-25)

Referring to claim 40,

Keeping in mind the teaching of the reference Ben-Chanoch as stated above, the reference fails to teach wherein in step (f) the proxy server hosts the ongoing routed and established communication transaction. The reference Price teaches "Contact Server 20 can manage the sequencing of multiple customers 10 requesting information to pool of agents 28. Contact Server 20 (intermediate server) can receive these requests from either Web Server 18 or Switch Server 22. With knowledge of the availability of pool of agents 28, Contact Server 20 can connect a request to an available agent 30 and initiate Web Server 18 and/or Switch Server 22 to establish a live connection with customer 12.", col.3, line27-34, and "Customer 12 chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the Contact Server 20 for later connection., col. 4, line 7-10)(wherein in step (f) the proxy server hosts the ongoing routed and established communication transaction.) Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to enhance the contact center with the contact

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server (proxy server) of Price such that contact server can manage the sequencing of multiple customers requesting information to pool of agents. It would have been obvious also for the reason that if customer chooses to schedule an agent connection at a later time and the contact request is recorded and scheduled at the contact server for later connection.

Referring to claim 41,

The reference Ben-Chanoch teaches method of claim 31 wherein in step (f) the instant message server continues to host the ongoing routed and established transaction. (Fig.1, element 1, col. 1 line 60-64)

Referring to claim 42,

The reference Ben-Chanoch teaches the method of claim 31 wherein in step (f) the transaction is conducted through a firewall. (col.2, lines 50-53)

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2154

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp

JOHN POLLANSBEE
SUPERVISOR
TECHNOLOGY CENTER 2100
PATENT EXAMINER